

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN DOE,)	
)	
Plaintiff,)	4:09CV3258
)	
V.)	
)	
JON BRUNING, Attorney General,)	ORDER
DAVID HEINEMAN, Governor,)	
NEBRASKA STATE PATROL,)	
LANCASTER COUNTY SHERIFF,)	
and LINCOLN POLICE DEPT.,)	
)	
Defendants.)	
_____)	

Counsel for the plaintiff and counsel for the Nebraska defendants conferred with me today on the telephone. During the conference, the lawyers agreed in this case to be bound by my ruling on the motion for preliminary injunction in 8:09CV456. I have now entered my memorandum and order in that matter. Accordingly,

IT IS ORDERED that:

1. Except as provided below, the motion (filing 6) for a preliminary injunction is denied.
- 2 Defendants are preliminarily enjoined from enforcing the following statutes against persons who have been convicted of sex offenses but who have completed their criminal sentences and who are not on probation, parole, or court-ordered supervision, to wit: (1) Neb. Rev. Stat. § 29-4006(2) (West, Operative January 1, 2010) (requiring consent

to search and installation of monitoring hardware and software) and (2) Neb. Rev. Stat. § 28-322.05 (West, Operative January 1, 2010) (making it a crime to use Internet social networking sites accessible by minors by a person required to register under the Sex Offender Registration Act).

3. Since a bond will be posted in 8:09CV456 and it is likely that these two cases will be consolidated, no bond will be required in this case at this time. However, if the defendants wish to object to the lack of a bond, they may file a motion for reconsideration.

DATED this 31st day of December, 2009.

BY THE COURT:

Richard G. Kopf

United States District Judge